

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

CHAPTER IV
ELECTORS OF PRESIDENT AND VICE-PRESIDENT

168.41 Presidential electors; eligibility.

Sec. 41. No person shall be eligible to be an elector of president and vice-president who shall not have been a citizen of the United States for at least 10 years and a resident and registered elector of the congressional district for an elector representing a congressional district, or of the state, for an elector representing the state at large for at least 1 year prior to the election. No senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector, as provided in section 1 of article 2 of the United States constitution.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.42 Presidential electors; selection at state political party conventions, certification.

Sec. 42. In the year in which presidential electors are to be elected under section 43, each political party in this state shall choose at its fall state convention a number of candidates for electors of president and vice-president of the United States equal to the number of senators and representatives in congress that this state is entitled to elect. The chairperson and the secretary of the state central committee of each political party shall, within 1 business day after the conclusion of the state convention, forward by registered or certified mail a certificate containing the names of the candidates for electors to the secretary of state. The candidates for electors of president and vice-president who shall be considered elected are those whose names have been certified to the secretary of state by that political party receiving the greatest number of votes for those offices at the next November election.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1956, Act 190, Imd. Eff. Apr. 26, 1956;—Am. 1999, Act 216, Imd. Eff. Dec. 28, 1999.

Popular name: Election Code

168.43 Presidential electors; election.

Sec. 43. At the general November election held in the year 1956 and at the general November election held every fourth year thereafter, electors of president and vice-president of the United States shall be elected in the manner herein provided: Provided, That if congress should hereafter fix a different day for such election, then the election for electors shall be held on such day as shall be named by congress as provided in section 1 of article 2 of the United States constitution.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955.

Popular name: Election Code

168.44 Repealed. 1955, Act 271, Imd. Eff. June 30;—1955, Act 283, Imd. Eff. July 19, 1955.

Compiler's note: The repealed section prescribed a form of an official presidential ballot.

Popular name: Election Code

168.45 Cross or check mark as vote for presidential electors.

Sec. 45. Marking a cross (X) or a check mark () in the circle under the party name of a political party, at the general November election in a presidential year, shall not be considered and taken as a direct vote for the candidates of that political party for president and vice-president or either of them, but, as to the presidential vote, as a vote for the entire list or set of presidential electors chosen by that political party and certified to the secretary of state pursuant to this chapter.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1985, Act 160, Imd. Eff. Nov. 20, 1985.

Popular name: Election Code

168.46 Presidential electors; determination by board of state canvassers; certificate of election.

Sec. 46. As soon as practicable after the state board of canvassers has, by the official canvass, ascertained the result of an election as to electors of president and vice-president of the United States, the governor shall certify, under the seal of the state, to the United States secretary of state, the names and addresses of the electors of this state chosen as electors of president and vice-president of the United States. The governor

shall also transmit to each elector chosen as an elector for president and vice-president of the United States a certificate, in triplicate, under the seal of the state, of his or her election.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2002, Act 431, Imd. Eff. June 6, 2002.

Popular name: Election Code

168.47 Convening of presidential electors; time and place thereof; resignations; refusal or failure to vote; vacancies.

Sec. 47. The electors of president and vice-president shall convene in the senate chamber at the capitol of the state at 2 p.m., eastern standard time, on the first Monday after the second Wednesday in December following their election. At any time before receipt of the certificate of the governor or within 48 hours thereafter, an elector may resign by submitting his written and verified resignation to the governor. Failure to so resign signifies consent to serve and to cast his vote for the candidates for president and vice-president appearing on the Michigan ballot of the political party which nominated him. Refusal or failure to vote for the candidates for president and vice-president appearing on the Michigan ballot of the political party which nominated the elector constitutes a resignation from the office of elector, his vote shall not be recorded and the remaining electors shall forthwith fill the vacancy. The ballot used by the elector shall bear the name of the elector. If at the time of convening there is any vacancy caused by death, resignation, refusal or failure to vote, neglect to attend, or ineligibility of any person elected, or for any other cause, the qualified electors of president and vice-president shall proceed to fill such vacancy by ballot, by a plurality of votes. When all the electors appear and the vacancy shall be filled, they shall proceed to perform the duties of such electors, as required by the constitution and laws of the United States. If congress hereafter fixes a different day for such meeting, the electors shall meet and give their votes on the day designated by act of congress.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1971, Act 172, Eff. Mar. 30, 1972.

Popular name: Election Code